

Entered - 04/23/01 - sb  
CL01L0249 - DIANNE C. MITCHELL

CLAIM OF: ANNIE E. B. PRIMM  
64 Brighton Road, NE  
Atlanta, Georgia 30309

01- R -0813

For damages alleged to have been sustained as a result of vehicular  
damage due to roadway construction on March 4, 2001 at 2500  
Peachtree Road and Lindbergh Drive.

THIS ADVERSED REPORT IS APPROVED

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0249

Date: May 17, 2001

Claimant /Victim ANNIE E. B. PRIMM

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 64 Brighton Road, NE, Atlanta, Georgia 30309

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 276.82 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 04/10/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 03/04/01 Place: 2500 Peachtree Road at Lindbergh Drive

Department \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that her vehicle was damaged due to roadway construction. The investigation determined that the Atlanta Gas Light Company was responsible for the work at this location. The claimant has been forwarded to them for handling and the claimant has been advised of same.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 05-17-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
CLERK OF COUNCIL  
City Hall/Suite 2700  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

*Mitchell*  
*04/19/01*  
*Dan*

TODAY'S DATE: 4/7/01

ENTERED - 4-23-01 - SB

01L0249 - DIANNE MITCHELL

Dear Sir:

This is to notify the City of Atlanta that I have suffered damages in the sum of \$ 276.82 property and/or \$ 0 bodily injury for Two Hundred Seventy Six dollar and 82 cents which I contend the City is liable.

1. Date of incident: March 4, 2001 / Sunday - 11:15 AM  
(month day year)
2. Police called: 2580 (Yes) (No) ☒
3. Location of incident: Intersection of Peachtree Road & Lindberg Drive
4. Name of your insurance company Charter Oak Furniture. Policy # 942574375
5. State what and how incident occurred: My daughter, Edith was driving - 30mph North on Peachtree, the right front wheel fell into unmarked hole due to street construction/repairs - car with fire  
(Use other side if necessary) imm & directly went flat + wheel damaged - AAA  
small spare on wheel.
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages. Complete the following and attach two (2) estimates of repair. N/A - Dealer Fixed wheel + tire - See attached.  
Your vehicle: Boick Century 1995 Edith PRimm  
(make) (year) (tag#) (driver's name)  
City vehicle: \_\_\_\_\_  
(make) (driver's name) (department)
8. Witness: SALLY Smith 8 N. Bowdoy Place NW 404-651-4930  
(name) (address) Atlanta, GA (phone)
9. The acknowledgment of this claim in no way waives the Governmental Immunity of the City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT!

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE.

Annie E. B. Primm (SEAL)  
(claimant)  
64 Brighton Road NE  
(address)  
Atlanta, GA 30309  
(city) (state) (zip)  
404-351-4755 404-355-0696  
(home) (phone) (work)

01-R-0813